

REMARKS

Claims 12, 14, 16, and 24-26 are pending, and are rejected under 35 U.S.C. §103(a) as being unpatentable over US patent No. 6,237,023 (Yoshimoto) in view of US patent application publication No. 2003/0041151 (Senapati et al.). The amendment of 04-02-2008 is objected to for introducing new matter into claims 12 and 25 that is not found in the specification. Claim 24 is objected to for referring back to a succeeding claim, rather than to a preceding claim.

Claims 12 and 25 are amended herein. Claim 24 is canceled. Claims 27-31 are new. Claims 12, 14, 16, and 25-31 are presented for examination. References made to Applicants' specification herein are relative to the substitute specification.

Response to new matter objection

In claims 12 and 25, the term "discovery stage" is replaced herein with "link establishment stage", which is found in paragraph 11, line 3.

Response to claim objection

Claim 24 is canceled and re-inserted as new claim 27 depending from claim 25, thus depending from a preceding claim rather than a succeeding claim.

Response to rejections under 35 USC 103(a)

In Yoshimoto a terminal identifier and a user identifier are acquired from a service request sent from a client (col. 4, lines 13-17). However, in Applicants' invention, a terminal identifier is not considered. Instead, a port identifier is acquired from a switching device VE in a higher-ranking network. Yoshimoto's terminal identifier is not equivalent to Applicants' port identifier for two reasons: Firstly, a port identifier of the switching device VE is not unique to a single client KE (in FIG 1 a port TA supports a LAN with multiple clients). Secondly, the client terminal KE does not provide the port identifier. Instead, it is identified within the switching device VE and inserted into a session ID tag of a discovery message from the client by an insertion means EM in the switching device (page 8, lines 8-12: "*According to the invention, said inserted relay session ID TAG represents a connection data port-id—here the*

port-ID—representing the subscriber's connection TA or the subscriber connecting line TAL. Via the PORT-ID, the subscriber's connection TA or the subscriber connecting line TAL connected to it is identified unambiguously within the switching device or in the corresponding line unit and addressed as a result."). The element "port identification" is recited in the independent claims 12, 25, and new independent claim 28.

Applicants' port identifier has an advantage over a terminal identifier, because the higher-ranking network to be accessed has control over identifying the access port. Thus, in Applicants' invention, the authentication server does not depend on a single source for all authentication data as in Yoshimoto.

Senapati does not address the above failure of Yoshimoto, so the proposed combination of Yoshimoto and Senapati does not produce Applicants invention as claimed, and the 35 USC 103 rejections are not supported.

(Please proceed to the following page.)

Conclusion

M.P.E.P. 2143.04 provides that to establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. All words in a claim must be considered for judging the patentability of the claim against the prior art. If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious.

As argued above, the proposed combination of Yoshimoto and Senapati does not produce all of the limitations of the independent claims herein, and thus does support the obviousness rejections of the claimed invention. The formal objections have been addressed. Accordingly, Applicants feel this application is in condition for allowance, which is respectfully requested.

The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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